

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

To:

LAWRENCE S. PERRY
FITZPATRICK, CELLA, HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112-3801

PCT

NOTIFICATION CONCERNING PAYMENT OF PRESCRIBED FEES

(PCT Rules 14, 15 and 16 and Administrative
Instructions, Sections 102bis(c), 304(a) and (b),
323(b), 707(b) and 803)

Date of mailing
(day/month/year)

02 Oct 2003

Applicant's or agent's file reference

000005.1205P

PAYMENT DUE

see item 3 for time limits

International application No.

PCT/US03/26644

International filing date/Date of receipt
(day/month/year)

27 Aug 2003

Priority date (day/month/year)

30 Aug 2002

Applicant

KYOWA HAKKO KOGYO CO.LTD

1. The applicant is hereby notified that this receiving Office has received:



the payment of all the prescribed fees, and



an overpayment, which will be refunded in due course.



no or insufficient payment of the prescribed fees and the applicant is hereby invited to pay the balance due, as summarized under item 2, within the time limit(s) indicated under item 3.

2. Fees and payment calculation:

2,588.00

2,588.00

0.00

Total fees payable

Amount paid

Balance



The details of the calculation are given in the Annex.

3. Time limit(s) for payment and amount(s) payable (Rules 14.1, 15.4 and 16.1(f)):



within ONE MONTH from the date of receipt of the international application (for the transmittal fee (if any), the search fee, the basic fee and the designation fee). The amount payable for each fee is the amount applicable on the date of receipt of the international application.



within ONE YEAR from the priority date (only for the designation fee and only if this time limit expires later than the above time limit).

— If the designation fee is paid within one month from the date of receipt of the international application, the amount payable is the amount applicable on that date of receipt.

— If the designation fee is paid within one year from the priority date but later than one month from the date of receipt of the international application, the amount payable is the amount applicable on the date of payment. The receiving Office should be consulted for the applicable amount.



within 16 MONTHS from the priority date (only for the fee for priority document). The applicant's attention is drawn to the fact that the request made by the applicant under Rule 17.1(b) will be considered not to have been made unless the fee is paid within that time limit.

4. Additional observations (if necessary):



The search copy will not be transmitted to the International Searching Authority until the search fee is paid (therefore the start of the international search will be delayed) (Rule 23.1(a) and (b)).

Name and mailing address of the receiving Office

Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Facsimile No. 703-305-3230

Authorized officer

Sigfried Hostad

Telephone No. 703-305-3680

Best Available Copy

PATENT COOPERATION TREATY

From the RECEIVING OFFICE

PCT

INVITATION TO CORRECT DEFECTS IN THE INTERNATIONAL APPLICATION

(PCT Articles 3(4)(i) and 14(1) and Rule 26)

To:

LAWRENCE S. PERRY
FITZPATRICK, CELLA, HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112-3801

Date of mailing
(day/month/year)

02 Oct 2003

Applicant's or agent's file reference

000005.1205P

REPLY DUE

within 1 months/days from
the above date of mailing

International application No.

PCT/US03/26644

International filing date
(day/month/year)

27 Aug 2003

Applicant

KYOWA HAKKO KOGYO CO.LTD

1. ☒ The applicant is hereby invited, within the time limit indicated above, to correct, in the international application as filed, the defects specified on the attached:

☒ Annex A

☐ Annex B1 (text matter of the international application as filed)

☐ Annex C1 (drawings of the international application as filed)

2. ☐ The applicant is hereby invited, within the time limit indicated above, to correct, in the translation of the international application furnished under Rule 12.3 or 12.4, the defects specified on the attached:

☐ Annex A

☐ Annex B2 (text matter of the translation of the international application)

☐ Annex C2 (drawings of the translation of the international application)

Additional observations (if necessary):

FILE NO. 5.1205 PCT
ATTORNEY LSP
DUE DATE 11/2/03
DOCKETED WLG 10/7/03

HOW TO CORRECT THE DEFECTS?

Correction must be submitted by filing a replacement sheet embodying the correction and a letter accompanying the replacement sheet, which shall draw attention to the difference between the replaced sheet and the replacement sheet. A correction may be stated in a letter only if it is of such a nature that it can be transferred from the letter to the record copy without adversely affecting the clarity and direct reproducibility of the sheet onto which the correction is to be transferred (Rule 26.4).

ATTENTION

Failure to correct the defects will result in the international application being considered withdrawn by this receiving Office (see Rule 26.5 for further details).

A copy of this invitation and any attachments has been sent to the International Bureau

☒ and the International Searching Authority

Name and mailing address of the receiving Office

Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Facsimile No. 703-305-3230

Authorized officer

Sigfried Hostad

Telephone No. 703-305-3680

The receiving Office has found the following defects in the international application as filed:

1. As to signature* of the international application (Rules 4.15 and 90.4), the request:
- a. ☐ is not signed
 - b. ☐ is not signed by all the applicants
 - c. ☐ is not accompanied by the statement referred to in the check list in Box No. VIII of the request explaining the lack of the signature of an applicant for the designation of the United States of America
 - d. ☒ is signed by what appears to be an agent/common representative but:
 - ☒ the international application is not accompanied by a power of attorney appointing him
 - ☐ the power of attorney accompanying the international application was not signed by all the applicants
 - e. ☐ other (specify):

* All applicants must sign, including inventors if they are also applicants (e.g. where the United States of America is designated).

2. As to indications concerning the applicant, the request (Rules 4.4 and 4.5):
- a. ☐ does not properly indicate the applicant's name (specify):
 - b. ☐ does not indicate the applicant's address
 - c. ☐ does not properly indicate the applicant's address (specify):
 - d. ☐ does not indicate the applicant's nationality
 - e. ☐ does not indicate the applicant's residence
 - f. ☐ other (specify):
3. As to the language of certain elements of the international application, other than the description and claims (Rules 12.1(c) and 26.3ter(a) and (c)):
- a. ☐ the request is not in a language of publication accepted by this receiving Office; (the) language(s) accepted by this receiving Office is/are:
 - b. ☐ the text matter of the drawings is not in the language in which the international application is to be published, which is:
 - c. ☐ the abstract is not in the language in which the international application is to be published, which is:
4. The title of the invention:
- a. ☐ is not indicated in Box No. I of the request (Rule 4.1(a))
 - b. ☐ is not indicated at the top of the first sheet of the description (Rule 5.1(a))
 - c. ☐ as appearing in Box No. I of the request is not identical with the title heading the description (Rule 5.1(a))

5. As to the abstract (Rule 8):
- ☐ the international application does not contain an abstract

TO:

LAWRENCE S. PERRY
FITZPATRICK, CELLA, HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NEW YORK 10112-3801

UNITED STATES SIGNED/ELECTED OFFICE
(DO/EO/US)

**NOTIFICATION OF STATUS OF
REQUIREMENTS UNDER 35 U.S.C. 371**

DATE OF MAILING
(day/month/year)

02 Oct 2003

FILE REFERENCE

000005.1205P

IDENTIFICATION OF INTERNATIONAL APPLICATION

International application No.

PCT/US03/26644

International filing date
(day/month/year)

27 Aug 2003

Priority Date Claimed

30 Aug 2002

Applicant for DO/EO/US

KASE, HIROSHI

NOTIFICATION

The applicant is hereby advised that the U.S. Patent and Trademark Office in its capacity as ☒ Designated Office ☐ Elected Office has received following items as of the date of mailing indicated above:

1. ☐ U.S. Nation fee [35 U.S.C 371 (c) (1)]
 2. ☐ Oath of declaration [35 U.S.C 371 (c) (4)]
 3. ☒ Copy of International application as [35 U.S.C 371 (c) (2)]
 4. ☐ Translation of Application [35 U.S.C 371 (c) (2)]
 5. ☐ Amendments under PCT Article 19 [35 U.S.C 371 (c) (3)]
 6. ☐ Translation of PCT Article 19 Amendments [35 U.S.C 371 (c) (3)]
 7. ☐ Search Report or Declaration under PCT Article 17(2) [35 U.S.C 371 (a)]
 8. ☐ International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(b) [35 U.S.C 371 (a)]
 9. ☐ Translation of Annexs to the International Preliminary Examination Report under PCT Article 36(3)(b) [35 U.S.C 371 (c) (5)]
 10. ☐ Other items received:

☐ Assignment Document ☐ Prior Art Statement ☐ Preliminary Amendment
- A. ☐ Requirements for U.S. National processing have been met. Processing will commence
- ☐ at the expiration of the applicable time limit under either

☐ PCT Article 22 [35 U.S.C 371 (b)] or
☐ PCT Article 39 [35 U.S.C 371 (b)]

☐ on the date indicated below under the provisions of 35 U.S.C 371 (f)

U.S. NATIONAL SERIAL#

DATE UNDER 35 U.S.C. 102(e)

DATE OF COMMENCEMENT
OF NATIONAL PROCESSING

All correspondence submitted after the date of commencement of U.S. National processing indicated above should refer to the U.S. National Serial Number and the appropriate U.S. National processing organization of Officer.

- B. ☐ As the above identified application has been accepted for U.S. National processing under the provision of 35 U.S.C. 371 (f) before expiration of the applicable time limit under ☐ PCT Article 22 ☐ PCT Article 39, applicant is reminded that
- ☐ Amendments under PCT Article 19 and/or
☐ the International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), and (b) and any translation thereof, if applicable, must be submitted to the Patent and Trademark Office as soon as they are available.

| | | |
|--|--|---|
| International application No PCT/US03/26644 | International filing date 27 Aug 2003 | Priority Date Claimed 30 Aug 2002 |
| <p>C. <input checked="" type="checkbox"/> In order that U.S. National processing may begin, certain items must be received by the DO/EO/US by the expiration of applicable time limit under</p> <p><input checked="" type="checkbox"/> PCT Article 22 or <input checked="" type="checkbox"/> PCT Article 39.</p> <p>Specifically:</p> <p><input checked="" type="checkbox"/> 1. U.S. National Fee <input checked="" type="checkbox"/> 2. Oath or Declaration <input type="checkbox"/> 3. Copy of Application <input type="checkbox"/> 4. Translation of application <input checked="" type="checkbox"/> 5. Amendments under PCT Article 19, if any <input type="checkbox"/> 6. Translation of PCT Article 19 Amendments, if applicable <input type="checkbox"/> 7. Search Report or PCT Article 17(2) declaration <input type="checkbox"/> 8. International Preliminary Examination Report and its Annexes, if any, under PCT Article 36(3)(a), if applicable <input type="checkbox"/> 9. Translation of Annexes to the International Preliminary Examination Report under PCT Article 36(3)(b), if applicable</p> <p>THE ABOVE CHECK ITEMS MUST BE TIMELY RECEIVED TO AVOID ABANDONMENT OF THE APPLICATION. [35. U.S.C. 371(d)]</p> <p>D. Further information for the applicant:</p> <p style="text-align: center;">This is only a reminder.</p> | | |
| UNITED STATES DESIGNATED/ELECTED OFFICE | | |
| Address Only: Mail Stop PCT, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 | | Authorized Officer Sigfried Hostad 703-305-3680 |

PCT

FEE CALCULATION SHEET

Annex to the Request

For Receiving Office Use Only

PCT/US 03/26644

International Application No.

Applicant's or agent's
file reference 00005.1205PC.

Date stamp of the receiving Office 27.08.03

Applicant KYOWA HAKKO KOGYO CO. LTD

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE \$ 240.00 [T] 240

2. SEARCH FEE \$ 1,020.00 [S] 1020

International search to be carried out by

EP

(If two or more International Searching Authorities are competent in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic Fee

Where item (b) of Box No. IX applies, enter Sub-total number of sheets } 56

Where item (b) of Box No. IX does not apply, enter Total number of sheets

[b1] first 30 sheets \$ 476.00 [b1] 476

[b2] 26 x \$12.00 = \$ 312.00 [b2] 312
number of sheets in excess of 30 fee per sheet[b3] additional component (only if sequence listing part of description
is filed in computer readable form under Section 801(a)(i), or
both in that form and on paper, under Section 801(a)(ii)):
400 x fee per sheet = \$ [b3] 0

Add amounts entered at b1, b2 and b3 and enter total at B \$ 788.00 [B] 788

Designation Fees

The international application contains more than 5 designations.

5 x 104.00 = \$ 520.00 [D] 520
number of designation fees payable (maximum 6) amount of designation fee

Add amounts entered at B and D and enter total at I \$ 1,308.00 [I] 1308

(Applicants from certain States are entitled to a reduction of 75% of the international fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the sum of the amounts entered at B and D.)

4. FEE FOR PRIORITY DOCUMENT (if applicable) \$ 20.00 [P] 20

5. TOTAL FEES PAYABLE

Add amounts entered at T, S, I and P, and enter total in the TOTAL box ... \$2,588.00
TOTAL 2588☐ The designation fee is not paid at this time.

MODE OF PAYMENT

☐ authorization to charge deposit account (see below) ☐ postal money order ☐ cash ☐ coupons
☒ cheque ☐ bank draft ☐ revenue stamps ☐ other (specify)

AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT

(This mode of payment may not be available at all receiving Offices)

☐ Authorization to charge the total fees indicated above.☒ (This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit) Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.☐ Authorization to charge the fee for priority document

Receiving Office: RO/US

Deposit Account No.: 06-1205

Date: August 26, 2003

Name: Lawrence S. Perry

Signature: 

PCT

REQUEST.

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office Use Only

| | |
|---|--------------|
| PCT/US 03726644 | |
| International Application No. | |
| 27 AUG 03 (27.08.03) | |
| International Filing Date | |
| PCT INTERNATIONAL APPLICATION RO/US | |
| Name of receiving Office and "PCT International Application" | |
| Applicant's or agent's file reference (if desired) (12 characters maximum) | 000005.1205P |

| | |
|---|--|
| Box No. I TITLE OF INVENTION METHODS OF TREATING PATIENTS SUFFERING FROM RESTLESS LEGS SYNDROME OR RELATED DISORDERS | |
| Box No. II APPLICANT <input type="checkbox"/> This person is also inventor. | |
| Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) | |
| KYOWA HAKKO KOGYO CO. LTD. 1-6-1 Ohtemachi Chiyoda-ku, Tokyo 100-8185 JAPAN | |
| Telephone No. (81)3-3282-0036 | |
| Facsimile No. (81)3-3282-1527 | |
| Teleprinter No. | |
| Applicant's registration No. with the Office | |
| State (that is, country) of nationality: JAPAN | State (that is, country) of residence: JAPAN |
| This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input checked="" type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box | |
| Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S) | |
| Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) | |
| KASE, Hiroshi 3-35-18 Maehara-cho Koganei-shi Tokyo 184-0013 JAPAN | |
| This person is: <input type="checkbox"/> applicant only <input checked="" type="checkbox"/> applicant and inventor <input checked="" type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.) | |
| Applicant's registration No. with the Office | |
| State (that is, country) of nationality: JAPAN | State (that is, country) of residence: JAPAN |
| This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box | |
| <input checked="" type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet. | |
| Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE | |
| The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as: <input checked="" type="checkbox"/> agent <input type="checkbox"/> common representative | |
| Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.) | |
| PERRY, Lawrence S. Fitzpatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, New York 10112-3801 US | |
| Telephone No. (212) 218-2100 | |
| Facsimile No. (212) 218-2200 | |
| Teleprinter No. | |
| Agent's registration No. with the Office 31,865 | |

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Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

If none of the following sub-boxes is used, this sheet is not to be included in the request.

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

SENO, Naoki
4-13-6
Mizukino
Moriya-shi
Ibaraki, 302-0121
JAPAN

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality: JAPAN

State (that is, country) of residence: JAPAN

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

MORI, Akihisa
2-9-50
Saginuma
Narashino-shi
Chiba 275-0014
JAPAN

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality: JAPAN

State (that is, country) of residence: JAPAN

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

ZHAO, Dayao
13 Money Point Road
Mystic, CT 06355
US

This person is:

- ☐ applicant only
☒ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality: US

State (that is, country) of residence: US

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

This person is:

- ☐ applicant only
☐ applicant and inventor
☐ inventor only (If this check-box is marked, do not fill in below.)

Applicant's registration No. with the Office

State (that is, country) of nationality:

State (that is, country) of residence:

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☐ the United States of America only☐ the States indicated in the Supplemental Box☐ Further applicants and/or (further) inventors are indicated on another continuation sheet.